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ATTACHMENT 3

**BellSouth Telecommunications, Inc.
Alabama Public Service Commission
Docket No. 25835
Responses to June 25-26, 1998 Workshop Requests
Request No. 18**

Request: DeltaCom states that routing translations, NXX activations and testing are the only things that have not shown improvement.

Response: BellSouth is not aware of any general service difficulties in these three areas. Any concerns raised by individual CLECs have been handled on a case by case basis. Recognizing the complexity of the NXX Activation Process, BellSouth recently created an NXX Single Point of Contact organization designed to assist with resolving problems which arise. Staffing will be completed in August, 1998. See attached description of the center and its functions.

BellSouth NXX SPOC

The scope of the NXX Activation SPOC created by BellSouth is to close the gaps associated with the activation of CLEC NPA-NXXs and the associated ordering and provisioning of intercompany and reciprocal trunking. The SPOC serves as the Single Point of Contact (SPOC) for CLEC issues concerning the activation of their NXXs.

The SPOC provides a coordination and administration role between the CLEC and BellSouth for:

- timely NPA-NXX Code activations
- activation of associated intercompany and reciprocal trunking arrangements.
- the handling of routing translations issues
- intracompany activities
- testing for BST circuits and the associated routing activities.

The SPOC will provide expertise for BellSouth's account teams and service centers on issues concerning NPA-NXX activations, intercompany testing requirements, and routing requirements for intercompany traffic.

ATTACHMENT 4



285 North Maple Ave.
Basking Ridge, NJ 07920

June 22, 1988

Mr. W. Scott Schaefer
President - Interconnection Services
BellSouth Telecommunications, Inc.
Suite 4811
875 West Peachtree Street, N. E.
Atlanta, Georgia 30376

Dear Scott:

I received your June 15, 1988, letter regarding EDI 6 and EDI 7. I, too, hope we can establish a business relationship that will allow us to pursue mutually beneficial opportunities. Recent experience with BellSouth's disregard of our two companies' interconnection agreement and the renegeing on representations made by BellSouth employees in negotiations with AT&T indicates to me that that hope may be premature, however. The AT&T - BST interconnection agreement called for a full electronic ordering capability to be put in by December 31, 1987. Although EDI 6 required manual handling of AT&T Digital Link subsequent partial migration orders, it did perform that task. When BellSouth moved to EDI 7, it eliminated this capability without prior notice to AT&T. We first found out about this during testing in May when a partial and subsequent migration order was rejected. The contract contemplates mutually agreeable testing of new interfaces and conditions the acceptance of new interfaces on satisfactory performance. The fact that BST cannot now handle orders for AT&T Digital Link subsequent partial migrations electronically using EDI 7 indicates that its commitment to provide such electronic ordering has been missed and that BellSouth does not take our contract seriously.

The handling of subsequent partial migrations for large business customers has been under discussion between our two companies since 1986. In all other RBOCs, the LOCBAN field for this type of order uses the AT&T main telephone number, not the RBOC's. BST stands alone in being unable to take an AT&T assigned main telephone number in this field or any BST telephone number at a line level and use it to find their account records. I would note that by forcing AT&T, and presumably all other competing local exchange carriers, to file all orders for their services to BST BTNs provides BellSouth with a convenient way to view all of the competitive offerings being used by its customers. Ready access to such information provides BST with an unfair and insurmountable advantage over competitors. This is troubling to us. Nevertheless, we have been accommodating BST's inability thus far by agreeing to populate the LOCBAN field with the BST main account, and then using a work around in EDI 6 that caused these orders to fall out of BST's electronic process for manual handling by BST. Now, instead of moving forward and fixing this work around in EDI 7 as had been agreed at the end of EDI 6 negotiations, BST is moving backward and insisting that AT&T must either change its systems or use a completely manual process for transmitting the subsequent orders that follow a partial migration.

In an April 27, 1998, meeting, BST led us to believe that an additional field, EATN, would be implemented by the end of June that would allow subsequent partial migrations to be handled electronically. After repeated attempts by AT&T to confirm this, BST informed us that they would implement the new field in June only for manual, not electronic orders. Electronic orders with these fields would not be accepted until first quarter 1999. BST's unclear statements on availability followed by its arbitrary decision to delay the electronic capability seem calculated to delay AT&T's market entry for AT&T Digital Link by pulling an essential ordering capability at the latest possible moment.

To maintain the status quo until BST could modify its systems to accept electronic subsequent migration orders, AT&T suggested several ways to get these orders to drop out of flow through in an EDI 7 environment. BST has refused to entertain these alternatives and appears anxious to move backwards on this issue. While your letter expresses a willingness to pursue alternatives, you've already turned down the suggestions we've made to date. We expect live customer orders requiring subsequent partial migrations to arrive imminently. Lack of this capability hinders our market entry by subjecting our large business customers to a slower, more error-prone, manual process. This is not parity treatment to that which BST itself enjoys. Your suggestion that AT&T could pay BST \$100K per month to keep EDI 8 up lacks any cost basis and appears calculated to discourage an otherwise viable option. Furthermore, Section 8 of Attachment 15 clearly contemplates that all changes to interfaces should not affect production capability and that both parties agree that the new interface is mutually agreeable. Needless to say, that is not the case.

BellSouth's behavior leaves us no choice but to cut over to BellSouth's dictated implementation of EDI 7 and to send subsequent partial migration orders manually. This is unsatisfactory to AT&T but we have no choice if we are to proceed with market entry. I request that BellSouth fulfill its obligation to work cooperatively with AT&T to make this new interface mutually agreeable as the contracts contemplate. (I might add that if AT&T is the only user of EDI 6 and EDI 7 as your letter states, I can't understand why it is such a problem to work this out.) There are two things we need from BellSouth immediately if we are to do this. The absence of either of these two things would be a clear sign that BellSouth is not serious in proposing that subsequent migration orders be handled manually. Due to the urgency of our market entry plans these have already been communicated to the account team through phone calls from Pam Nelson and Ray Crafton and calls that you and I have had.

a. First, we need a document from you describing where to place the AT&T account information on a manual subsequent migration order. This is the information that used to be placed in the remarks field on an EDI 6 order. To ensure clarity, we ask that you include with the documentation a copy of the form and an example of the form filled out in its entirety. We need this information immediately to keep our entry plans on track. I understand that on June 18th, we received this. We are in the process of working with your team to confirm our understanding of those procedures.

b. Second, we need your commitment that these manual orders will be handled according to the DMQs in interconnection agreement Attachment 12 (1 hour rejects, 24 hour FOCs, etc.) It is our understanding that, although BST does not believe that it must provide completions on manual orders, BST would agree to provide a paper list on a daily basis of orders completed with a time stamp. Such handling is consistent with the provisions of Attachment 4 which require BST to provide completion notices using the same interface that

Mr. W. Scott Schaefer

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June 22, 1998

AT&T uses to submit its order (Section 3.5). To make this list useful, we need your commitment to include the working telephone numbers on the list along with the version number.

I anxiously await your response on whether BST will commit to adherence to the DMOO for these manual orders and whether BST will cooperate in reaching a mutually satisfactory fix to the problem of subsequent partial migrations in the context of EDI 7 implementation.

Sincerely,



Philip H. Osman
Vice President
Consumer Local Services
AT&T

cc: M. Augier
R. Crafton

ATTACHMENT 5

From: crafton@att.com [SMTP:crafton@att.com]

Sent: Friday, April 03, 1998 7:01 PM

To: panelson@att.com; smhoward@att.com; deberger@att.com; rbriney@att.com; snorris@att.com; bradbury@att.com; rxdouglas@att.com; michaelides@att.com; augier@att.com; rcavallo@att.com; dhassebr@att.com; lcecil@att.com; bspinks@att.com

Cc: crafton@att.com

Subject: Escalation to Schaefer on 4/3

Kay, please add to the BellSouth phone log. Thanks!

April 3, 1998

6:45 p.m.

Scott (Schaefer), this is Ray Crafton. We need your intervention to re-focus the BellSouth team working on AT&T Digital Link. We've run into a set of critical problems that block our testing and market entry. These problems are numerous and I won't try to list them all in this voice mail, but I do want to give you the highlights. It's especially frustrating when you consider the sources of these problems. Some are caused by BellSouth never reaching closure with us on requirements. Strange, given that you've gone to production with the EDI7 interface. These unclosed requirements are now blocking our testing. Other problems are occurring now because BellSouth has changed its mind on requirements where we had closure. This is especially true in the Directory Listing area where we've been asking you for documentation since last year. That documentation was made available by BellSouth this week. And while we haven't finished a review with your folks, the review is resulting in the discovery of a growing number of unilateral changes from agreements that you've made and now coded in your systems. These unilateral changes are now blocking our testing.

Over the last several days we've tried to work these problems with your people to no avail. Meetings were held where the subject matter experts who could resolve the problem were absent. A regular twice-weekly ADL testing conference call was held at which no one from BellSouth dialed in. And your team has been more reluctant than ever to tell us when they can get the experts, the answers, the work plans, and most importantly, the solutions in place to resolve the problems. We're being told that the work plan or the initial review of some of the problems won't be available until week after next in some cases. And that's not the final solution. That's just the plan. And that's unacceptable. Your team's behavior will delay our market entry by weeks if not months if this is allowed to continue. Please don't allow that!

Here are some highlights of the problems we're having:

1. Miscellaneous Account Numbers on orders for AT&T-assigned numbers.

Apparently, BellSouth cannot accept an electronic order for an AT&T-assigned number. That's astounding after all these months and after you've gone to production. As a work around during testing we agreed to work within blocks of account numbers given us by BellSouth. That won't work for full-scale production. What we need here is your agreement to a method that allows AT&T to assign these numbers to its customers so that we can bill them properly and at the same time not cause your systems problems by inadvertently duplicating an account number already assigned by BellSouth. We're not even going to get a work plan from you on this until 4/14. That's not acceptable.

2. Partial Migration of some of the lines in an account leaving others including the BellSouth Billing Telephone number intact. Your team is insisting on two orders to do this. That creates unnecessary cost, complexity, and increased likelihood of rejects for us. It's not the direction the industry is headed. Your subject matter expert for this has been unavailable for the last two days. We won't get a work plan on this until Monday. We need to close this quickly, Scott, using the industry construct that a single order is all it takes.

3. Other Directory Listing issues for ADL include USOCs on directory listings orders. Your team insisted that we include these; we coded them in; last night we learned from the directory listings documentation that was finally shared that you don't want them. On other directory listings orders that require capitalizations within the listed name, we agreed to send you the name as it should look in the directory. Last night we learned that the order must insert asterisks ahead of some of the letters to be capitalized. Both of these examples are unilateral BellSouth changes that have never been communicated despite months of requests by our team.

4. Last example I'll give is a case where we learned in testing this week that some orders will reject if the address is just the right length to cause the state abbreviation to break across two different segments on the order. If other information breaks across the same boundary, say the zip code, the order passes. If the state information breaks, then the order rejects. What are the business rules? We still can't seem to get a complete set of these from BellSouth and it delays our entry at every turn.

As lengthy as this voice mail is, it's only the highlights of the problems we're having. I'm requesting that you focus the right resources on working with the team led by Pam Nelson and Steven Howard so we can get more than work plans to these problems in the next two weeks. We need fixes and we need 'em next week. Thanks for your help!

ATTACHMENT 6

250369

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
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Telephone Number Portability)
)
)
)

CC Docket No. 95-116
DA 98-449

COMMENTS OF AT&T CORP.

Mark C. Rosenblum
Roy E. Hoffinger
James H. Bolin, Jr.

Its Attorneys

Room 3247H3
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March 12, 1998

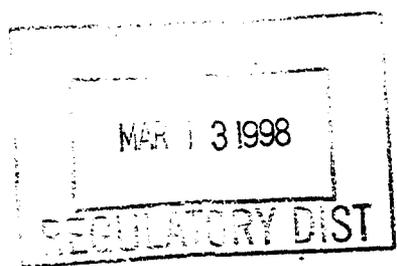


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SUMMARY

As the Commission has recognized, the failure of the former LNP Administrator in the Western, Southeast and West Coast regions to timely provide a stable Number Portability Administration Center/Service Management System ("NPAC/SMS") will prevent carriers in those regions from deploying Phase I of permanent local number portability ("PLNP") in compliance with the schedule established in the LNP Reconsideration Order. However, none of the petitions addressed in the instant Public Notice (DA 98-449), with the exception of BellSouth's, even purports to address the specific requirements of 47 C.F.R. § 52.3(e), and so provide no basis for the Commission to adjust its PLNP schedule.

BellSouth's petition seeks to delay Phase I implementation until mid-November 1998 -- three months longer than any other ILEC's proposed Phase I timeline -- but does not, and cannot, explain why its proposed schedule differs so radically from those of other carriers that also must cope with delayed delivery of that platform. BellSouth alleges that it requires 35 weeks to upgrade its systems in order to interface with the Lockheed NPAC/SMS, but plainly fails to justify such an extraordinary delay. Further, it appears that, contrary to its claims, BellSouth has known, or should have known, of the need for the upgrades in question at least since November 1997. Accordingly, BellSouth's petition should be denied, and that carrier should be required to adhere to the timetable AT&T proposes in its petition.

To the extent the Commission even considers BellSouth's waiver request, it should require that carrier to: (i) fully document the problems that it claims require it to delay Phase I until November 11, 1998; (ii) explain in detail whether and how those problems are (or are not) linked directly to Perot's failure to timely provide an NPAC/SMS for the Southeast Region; (iii) establish an aggressive action plan to correct any deficiencies in its PLNP implementation; and

(iv) file weekly, publicly available reports documenting the status of its PLNP implementation efforts until it returns to the PLNP deployment schedule established in the LNP Reconsideration Order. Further, to the extent that BellSouth fails to demonstrate that its inability to timely implement PLNP is attributable solely to the unavailability of an NPAC/SMS, the Commission should attempt to place CLECs as nearly as possible in the same position they would have occupied had BellSouth implemented PLNP on schedule, and thereby prevent BellSouth from profiting by its waiver.

AT&T urges the Commission to complete its realignment of the entire LNP schedule in this proceeding. The record before the Commission strongly supports establishment of the following PLNP implementation deadlines for all carriers in the Western, Southeastern and West Coast regions:

- NPAC "live" date: May 11, 1998 (or the date a "live" NPAC is actually available)
- Inter-company testing completed: June 11, 1998 (or 30 days after "live" date)
- LNP implementation in Phase I MSAs completed: June 26, 1998 (or 14 days after testing)
- LNP implementation in Phase II MSAs completed: July 10, 1998 (or 14 days after Phase I)
- LNP implementation in Phase III MSAs completed: July 24, 1998 (or 14 days after Phase II)
- Remainder of LNP implementation in compliance with the schedule established in the Commission's LNP Reconsideration Order.

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
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Telephone Number Portability)
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CC Docket No. 95-116
DA 98-449

COMMENTS OF AT&T CORP.

Pursuant to Sections 1.3 and 52.3(d) of the Commission's Rules, 47 C.F.R. §§ 1.3, 52.3(d), and the Public Notice released March 5, 1998, AT&T Corp. ("AT&T") hereby comments on the petitions for waiver of the of Permanent Local Number Portability ("PLNP") Phase I implementation deadline of March 31, 1998 filed by Allegiance Telecom, Inc. ("Allegiance"), BellSouth Corporation ("BellSouth"), DeltaCom, Inc. ("DeltaCom"), GST Telecom of California, Inc. ("GST"), NextLink California, LLC ("NextLink"), Sprint Local Telephone Companies ("Sprint"), Teleport Communications Group ("Teleport"), and WorldCom, Inc. ("WorldCom").

AT&T is fully committed to fulfilling the Commission's LNP requirements, and has made every effort to ensure that number portability implementation -- both in its own network and throughout the industry -- complies with the schedule established by the

Commission's rules. However, as the Commission recognized in the Phase I Waiver Order,¹ the failure of the former LNP Administrator ("LNPA") in the Western, Southeast and West Coast regions to timely provide a stable Number Portability Administration Center/Service Management System ("NPAC/SMS")² will prevent carriers in those regions from offering long-term portability in compliance with the schedule established in the LNP Reconsideration Order.³ There is no dispute among the petitioners that some delay in the LNP schedule will be necessary for all facilities-based LECs operating in the affected regions. The sole point of contention among the parties concerns the duration of that delay. Accordingly, AT&T will confine these comments to that issue.⁴

¹ Order, Telephone Number Portability, CC Docket No. 95-116, DA 98-152, released January 28, 1998 ("Phase I Waiver Order").

² The NPAC/SMS is

a hardware and software platform that will contain the database of information required to effect the porting of telephone numbers. In general, the Number Portability Administration Center Service Management System will receive customer information from both the old and new service providers, validate the information received, and download the new routing information when an "activate" message is received indicating that the customer has been physically connected to the new service provider's network.

Second Report and Order, Telephone Number Portability, CC Docket No. 95-116, FCC 97-289, released August 18, 1997, ¶ 9, n.28 ("LNP Second Report and Order").

³ First Memorandum Opinion and Order On Reconsideration, Telephone Number Portability, CC Docket No. 95-116, FCC 97-74, released March 11, 1997 ("LNP Reconsideration Order").

⁴ The eight petitions addressed in the Public Notice are only a portion of the Phase I waiver requests lodged with the Commission. Five additional waivers were the

(footnote continued on next page)

I. THE MAJORITY OF THE PETITIONS ARE INADEQUATE TO PROVIDE A BASIS FOR A NEW PHASE I LNP SCHEDULE

As a preliminary matter, seven of the eight petitions addressed in the Public Notice fail to provide an adequate basis on which the Commission could rest a decision to revise its LNP schedule. Section 52.3(e) of the Commission's rules sets forth explicit prerequisites for petitions for waiver of the LNP deployment schedule, requiring a carrier to

demonstrate through substantial, credible evidence the basis for its contention that it is unable to comply with the deployment schedule set forth in Appendix A to Part 52 of this chapter. Such requests must set forth: (1) the facts that demonstrate why the carrier is unable to meet the Commission's deployment schedule; (2) a detailed explanation of the activities that the carrier has undertaken to meet the implementation schedule prior to requesting an extension of time; (3) an identification of the particular switches for which the extension is requested; (4) the time within which the carrier will complete deployment in the affected switches; and (5) a proposed schedule with milestones for meeting the deployment date.

With the exception of BellSouth, none of the petitioners even purports to address these provisions. Because the unavailability of the NPAC/SMS affects all carriers in the Western, Southeast and West Coast regions, the Commission should adjust its current March 31, 1998 Phase I deadline. However, the other LECs' petitions are of no real relevance to the Commission's efforts to determine what the new LNP implementation timetable in the affected regions should be, except to the extent that they underscore the fact that

(footnote continued from previous page)

subject of a Public Notice (DA 98-451) issued on March 5, 1998, which requested comments on the same schedule as the instant Notice. In order to ensure a complete record for the Commission's consideration of a new LNP implementation schedule in the affected regions, AT&T hereby incorporates its comments on the March 5th Public Notice into the instant pleading by reference.

BellSouth's proposal to extend the current deadline by more than seven months -- a period that far exceeds even the timelines proposed by other ILECs -- is patently unreasonable.⁵

II. AS THE COMMISSION HAS FOUND, PLNP IS "ESSENTIAL" TO LOCAL EXCHANGE COMPETITION

It is important to note that any delay in PLNP implementation would be costless, if not beneficial, to an ILEC monopolist such as BellSouth, but will seriously impact carriers seeking to enter local exchange markets in its territory. AT&T does not contend that delays which are actually caused by the unavailability of the NPAC/SMS are attributable to any fault on BellSouth's part. It is clear, however, that BellSouth seeks to delay PLNP deployment far longer than can possibly be justified by late delivery of the NPAC/SMS for its region. It is equally plain that BellSouth potentially can gain significant advantages by delaying the implementation of PLNP for as long as possible.

Congress recognized the importance of LNP to local competition by expressly requiring all LECs to provide that capability in § 251(b)(2), and by also including "full compliance" with the Commission's LNP rules as a component of the § 271 "checklist."⁶ Any delay in the implementation of PLNP potentially will injure nascent local exchange competition. First, the Commission recognized in its First LNP Order that interim methods of local number portability ("ILNP") can impair "the quality, reliability, or

⁵ See GST, p. 1 (proposing June 11th Phase I deadline); NextLink, p. 3 (proposing July 1st deadline); Sprint, p. 2 (proposing to "roll-out" service between June 8th and July 13th). The two petitioners that support BellSouth's proposed timeline, Allegiance and DeltaCom, simply defer to that BOC's proposal, and offer no evidence or analysis.

⁶ See 47 U.S.C. § 271(c)(2)(B)(xi).

convenience of telecommunications services” offered by new entrants into local exchange markets.⁷ Accordingly, that order found that “[permanent] number portability is essential to ensure meaningful competition in the provision of local exchange services.”⁸

Second, CLECs in the affected regions already have incurred the expense of implementing PLNP in their own networks, and will soon begin to bear their share of the NPAC/SMS costs as well. Nevertheless, although CLECs will be paying for PLNP, until BellSouth begins to support that capability its competitors will have no choice but to port numbers using ILNP -- and thus they will, in effect, be required to pay for both interim and permanent portability for each customer that ports a number. Third, when BellSouth does begin to support PLNP, CLECs will bear the costs of converting customers from interim to permanent portability -- an expense they would not have borne for customers acquired after the Commission’s PLNP implementation deadline, but for the delay of that capability.

In contrast to CLECs, ILECs potentially benefit by delaying PLNP. Most importantly, their CLEC competitors will be handicapped by being forced to offer potentially lower-quality service to customers porting their numbers using ILNP methods. In addition, the ILECs will obtain additional payments from CLECs for ILNP services provided to existing CLEC customers after the date on which PLNP should have been available, payments for ILNP services provided to new CLEC customers that port their

⁷ Telephone Number Portability, CC Docket No. 95-116, First Report and Order and Further Notice of Proposed Rulemaking, FCC 96-286, released July 2, 1996, ¶ 110 (“First LNP Order”).

⁸ Id., ¶ 28.

numbers after the original PLNP implementation date, and payments to convert such new CLEC customers from ILNP to PLNP.

III. AN NPAC/SMS WILL BE AVAILABLE FOR INTERCOMPANY TESTING IN EACH OF THE AFFECTED REGIONS ON MAY 11, 1998

The LLCs of all three affected regions recently replaced Perot Systems with Lockheed Martin IMS as LNPA. As the Commission knows, Lockheed was selected as the LNPA for the four other LNP regions, and that company has developed and implemented a workable NPAC/SMS in those areas. Lockheed has committed to deliver an NPAC/SMS for the Western, Southeast and West Coast regions that is ready for intercompany testing on May 11, 1998.⁹ With the exception of NextLink, which incorrectly states (without explanation) that Lockheed will deliver an NPAC/SMS on May 13, 1998,¹⁰ the petitioners do not dispute that May 11 is planned as the NPAC/SMS "live" date, and their proposed schedules all are based on this starting point, as intercompany testing cannot proceed until this milestone is achieved.

IV. BELLSOUTH'S PROPOSAL TO DELAY PHASE I BY OVER SEVEN MONTHS IS UNSUPPORTED AND SHOULD BE REJECTED

BellSouth's proposed schedule seeks to delay Phase I implementation until mid-November 1998 -- three months longer than any other ILEC's proposed Phase I

⁹ See AT&T Phase I Waiver Petition, p. 5.

¹⁰ See NextLink, p. 3.

timeline.¹¹ BellSouth attempts to blame its problems exclusively on the NPAC/SMS, but it does not -- and cannot -- explain why its timeline differs so radically from those of other carriers that also must cope with delayed delivery of that platform. As demonstrated below, BellSouth's claim that it will require 35 weeks to upgrade its systems in order to interface with the Lockheed NPAC/SMS are patently untenable. The information presented in BellSouth's petition plainly fails to justify the extraordinary delay that BOC seeks to impose on Phase I PLNP deployment. Accordingly, BellSouth's petition should be denied, and that carrier should be required to adhere to the timetable AT&T proposed in its Phase I waiver request.

To the extent the Commission even considers BellSouth's waiver request, it should require that carrier to: (i) fully document the problems that it claims require it to delay Phase I until November 11, 1998; (ii) explain in detail whether and how those problems are (or are not) linked directly to Perot's failure to timely provide an NPAC/SMS for the Southeast Region; (iii) establish an aggressive action plan to correct any deficiencies in its PLNP implementation; and (iv) file weekly, publicly available reports documenting the status of its PLNP implementation efforts until it returns to the PLNP deployment schedule established in the LNP Reconsideration Order. Further, to the extent that BellSouth fails to demonstrate that its inability to timely implement PLNP is attributable solely to the unavailability of an NPAC/SMS, the Commission should attempt to place CLECs as nearly

¹¹ GTE's petition proposes the latest Phase I date of any ILEC other than BellSouth, suggesting that deployment be completed by August 18, 1998. Pacific Bell And U S West each propose mid-July 1998 dates for completion of Phase I.

as possible in the same position they would have occupied had BellSouth implemented PLNP on schedule, and thereby prevent BellSouth from profiting by its waiver.

A. Contrary To Its Claims, BellSouth Knew Or Should Have Known Well In Advance Of February 1998 About The Systems Changes It Contends Support Its Waiver Request

BellSouth contends that it will take 35 weeks -- 16 weeks beyond the May 11, 1998 date that the NPAC/SMS will be ready to begin intercompany testing -- to complete the upgrades and fixes required to enable its internal systems to interface properly with Lockheed's NPAC/SMS. This nearly 9-month interval purportedly is necessary because Perot's NPAC/SMS "was built to NANC specification 1.1," while the Lockheed NPAC/SMS "is built to NANC specification 1.8, a full seven software releases beyond the NPAC that was to have been delivered by the former LNPA."¹² BellSouth's petition implies that it first learned of this software development gap on February 20, 1998, when it concluded discussions with Lockheed concerning the specifications of that company's NPAC/SMS.¹³ This claim simply cannot be credited.

As BellSouth well knows, the Commission's Second LNP Order, released in August of last year, required the use of identical interfaces for both the Lockheed Martin and Perot Systems NPAC/SMSs.¹⁴ In that order, the Commission ruled that

¹² BellSouth, p. 20.

¹³ See id., p. 13.

¹⁴ See Second Report and Order, Telephone Number Portability, CC Docket No. 95-116, FCC 97-289, released August 18, 1997, ¶ 62 ("Second LNP Order").

We adopt the NANC's recommendation that the local number portability administrators and any entity directly connecting to the Number Portability Administration Center Service Management System use the Number Portability Administration Center Service Management System Interoperable Interface Specification (Interoperable Interface Specification or IIS) as described in the *North American Numbering Council – Interoperable Interface Specification – Number Portability Administration Center – Service Management System, Version 1.0*, dated April 7, 1997 (*NANC IIS*). The *NANC IIS* will serve as an industry standard for use in developing and maintaining the Number Portability Administration Center Service Management System interfaces in each of the seven Number Portability Administration Center regions.¹⁵

Release 1.0 of the NANC NPAC/SMS interface underwent subsequent development and upgrading pursuant to a process managed by the NANC Technical and Operational Requirements Task Force, with the participation of a BellSouth representative.¹⁶ BellSouth thus cannot plausibly claim that it did not know of the requirements established in NANC specification 1.8 until its mid-February discussions with Lockheed, or that it did not know that Perot Systems (or any company replacing that vendor as LNPA for the Southeast Region) would have to build to that standard. At bottom, BellSouth attempts to make the untenable claim that it should be permitted to operate as far behind schedule as Perot Systems did -- despite the fact that no other carrier in any of the three affected regions has suggested that it cannot support NANC specification 1.8 by the May 11, 1998 NPAC/SMS "live" date.

¹⁵ Id. (footnotes omitted, emphasis added).

¹⁶ See, e.g., Exhibit 1 to these comments (minutes of the November 13-14, 1997 meeting of the NANC Technical and Operational Requirements Task Force, indicating attendance by BellSouth representative).

Moreover, BellSouth should have known for some significant period of time that its interface was not capable of meeting the current NANC specification. Rather than simply relying on the fact that the Perot Systems NPAC/SMS was at least as far behind as its own development, BellSouth should have filed its petition for waiver no later than 60 days prior to the March 31, 1998 Phase I deadline. Section 52.3(e) of the Commission's rules requires petitions for waiver of the LNP schedule to be filed at least 60 days in advance of the deadline for which waiver is requested. The Phase I Waiver Order authorized carriers to file waivers 30 days in advance of the Phase I deadline only for "deployment delays that specifically relate to the availability of the vendor-supplied [NPAC/SMS]." ¹⁷ If BellSouth was itself not prepared to provide PLNP even if the Southeast Region NPAC/SMS were available, then it was obligated to provide more than 30 days notice of its request for a waiver. The Phase I Waiver Order makes plain that carriers were required to complete, no later than March 31, 1998, all modifications and upgrades within their own networks and systems which are necessary to implement PLNP in Phase I MSAs. ¹⁸

B. The Problems BellSouth Identifies Should Not Require 35 Weeks to Resolve

Although BellSouth refers at several points to the fact that it must upgrade its NPAC/SMS interface "a full seven software releases," its petition nowhere describes

¹⁷ Phase I Waiver Order, ¶ 8.

¹⁸ See id.